# IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

MICHAEL RONNIE BOISSONNEAU,	)	
2	)	
Plaintiff,	)	
	)	
<b>v.</b>	)	Case No.: 2:07cv914-MHT
20	)	
DAVID TIBBS, et al.,	)	
	)	
Defendants.	)	

### AFFIDAVIT OF D. T. MARSHALL

Before me, a Notary Public, personally appeared D. T. Marshall and after being duly sworn, did say as follows:

- 1. My name is D. T. Marshall, and I am the Sheriff of Montgomery County, Alabama. The following affidavit is based on personal knowledge.
- 2. The total, daily operations of the jail are managed by the Director of the Detention Facility, employed by the Montgomery County Sheriff's Office.
- 3. I do not know inmate Michael Ronnie Boissonneau and I have never had any contact with him. I am not familiar with his medical condition or with the medical treatment he has received at the Montgomery County Detention Facility. The Montgomery County Detention Facility has contracted with an outside medical services company to provide medical services to inmates at the Montgomery County Detention Facility. It is the policy of the Montgomery County Detention Facility that every effort will be made on the part of facility personnel to ensure safe custody, decent living conditions and fair treatment for all inmates.

4. I have never denied medical treatment to inmate Michael Ronnie Boissonneau.

D. T. Marshall

Sheriff, Montgomery County Alabama

STATE OF ALABAMA

MONTGOMERY COUNTY

I, a Notary Public in and for said County, in said State, hereby certify that D. T. Marshall, whose name is signed to the foregoing report, and who is known to me, acknowledged before me on this day that, having read the contents of this document, he executed the same on the day the same bears date.

Given under my hand and official seal this 27th day of / prend, 2007.

Notary Public

My commission expires /2-19-09

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### IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

MICHAEL RONNIE BO	ISSONNEAU	)	
		)	
<b>P</b>	laintiff,	)	
		)	
v.		)	CIVIL ACTION NO. 2:07-CV-914-MHT
		)	
DAVID TIBBS, et al.,		)	
		)	
]	Defendants.	)	

### AFFIDAVIT OF GINA M. SAVAGE

Before me, a Notary Public, personally appeared Gina M. Savage and after being duly sworn, did say as follows

- My name is Gina Savage. I am Director of the Montgomery County Detention
   Facility.
  - 2. I have not violated the constitutional rights of Inmate Michael Ronnie Boissonneau.
- 3. Inmate Michael Ronnie Boissonneau, a pre trial detainee, was booked into the Montgomery County Detention Facility January 30, 2007, charged with Reckless Endangerment, Assault II and Resisting Arrest. Bond was fixed at \$6,500.00. Charges of Escape I were added and his bond was increased to \$7,500.00.

When Inmate Boissonneau was booked into the Facility at 1630 hours on January 30, 2007, the Lieutenant on duty was advised that Inmate Boissonneau had suffered injuries during his arrest and that he had been treated at Jackson Hospital Emergency Room. The arresting officer presented the medical discharge paperwork. The medical nurse on duty reported to

Filed 11/28/2007

4. Inmate Boissonneau was seen by Dr. Nichols on January 30, 2007, and was prescribed Percogesic for rib fractures. He was transported to Baptist ER on February 4. 2007, for follow-up. Numerous lab tests were conducted and reviewed by medical personnel with normal results. On February 6, 2007, he was prescribed Doxycycline for bronchitis and continued on Coumadin, which he was taking prior to entering the facility.

Upon being booked into the facility, Inmate Boissonneau was housed in a first floor holding cell for medical observation. He was observed continuously by medical personnel and detention facility staff until February 12, 2007, when he was removed from the first floor holding cell and placed in general population.

He was seen by medical personnel on March 13, 2007. Inmate Boissonneau submitted sick call requests for miscellaneous medical complaints and was seen by medical personnel on May, 25, 2007, June 26, 2007, July 11, 2207, July 18, 2007, and July 30, 2007.

5. Inmate Boissonneau did not file a grievance or complaint regarding lack of medical treatment while incarcerated.

6. Inmate Boissonneau was released from the Montgomery County Detention Facility
November 15, 2007. He was never denied medical treatment while incarcerated in the
Montgomery County Detention Facility.

Gina M. Savage

Sworn to and subscribed before me this 26<sup>th</sup> day of November, 2007.

Notary Public

My Commission Expires September 13, 2010

# MONTGOMERY COUNTY DETENTION FACILITY INCIDENT REPORT

REPORT#: 01-30-07-002	<i>D</i>	_ DATE OF REPORT: 01-30-07						
TIME OF REPORT: 2100 ho	urs	LOCATION: Booking						
TYPE OF INCIDENT: Inm	ity with Injuries			TIME: 1830				
REPORTED BY: Matthew								
LAST	IAME	FIRST NAMI	C	Lieutenant RANK	ID#			
NAME (LAST, FIRST)  Boissonneau, Michael Ronnie	INVOLVED IN BOOKING #  79628	INCIDE:		ESS/VICTIM/OFFENDER (INDICATE ONE)				
¥ .	<u>IN</u>	JURY TO VICTI	<u>M</u>					
EXTENT OF VICTIM INJURY: TYPE OF INJURY: See Nurs VICTIM HOSPITALIZED: IF "YES" WHAT HOSPITAL:	e's Notes	NOR (X) SE	RIOUS (	) FATAI				
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### DETAILS OF INCIDENT

On January 30, 2007, at approximately 1630 hours, Corporal Clemens (M.C.S.O.)brought into the Detention Facility Inmate Boissonneau. The Arrestee was charged with the following, Reckless Endangerment, Assault and Resisting Arrest. Upon entry into the facility Corporal Clemens informed Lieutenant Matthews of Inmate Boissonneau's obvious injuries, as well as others unseen. Lieutenant Matthews immediately had Nurse Hill paged to report to Booking. Corporal Clemens further stated that Inmate Boissonneau had been treated at Jackson Hospital Emergency Room and he had the medical paperwork (discharge) in hand. Nurse Hill reported to the area, checked Inmate Boissonneau and took possession of the paperwork (see Nurse's Notes). Inmate Boissonneau was placed in cell 1B-3 by Sergeant Williams until he could be processed. It was later reported to Lieutenant Garner by Dispatch Dees that Inmate Boissonneau's injuries were received during an altercation with several construction workers. District Attorney Investigator D. Tibbs was making a lawful arrest when Inmate Boissonneau recklessly engaged in conduct by attacking him physically. As a result of the attack on Investigator Tibbs, the civilians rendered assistance. At approximately 2130 hours, Inmate Boissonneau was showered, dressed out in facility clothing and photos were taken by Corporal Franklin.

## REPORT# <u>0/-3007-002</u>

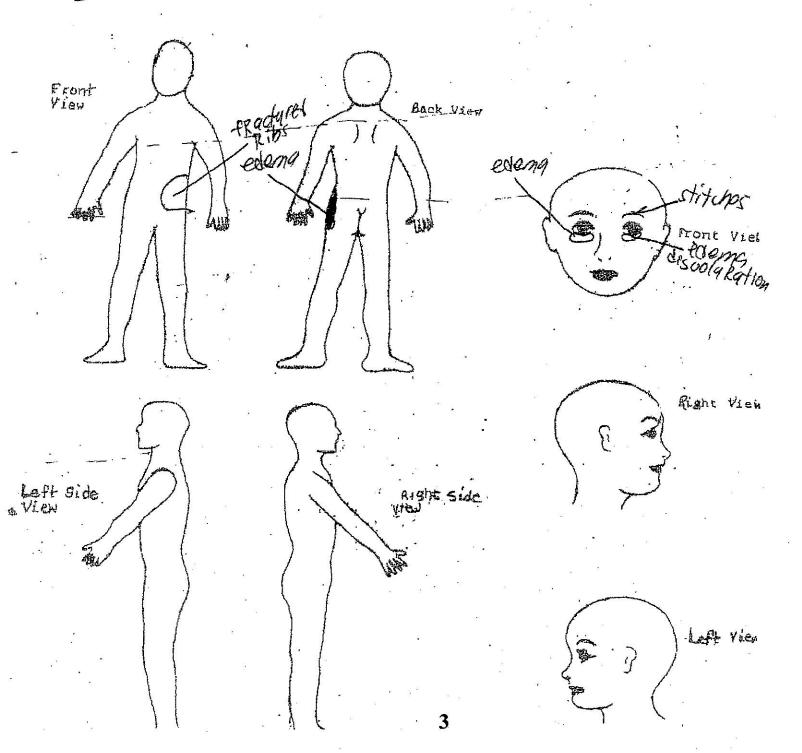
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Report prepared by:	Date:
Supervisor Signature:	Date:
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By signing below I concur with the content	of the report.
Responding Officers:	e X
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La Hae	Date: 1-30-07
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By signing below I concur with the content of	f the report.
Medical Staff:	2 H
	Date:
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200000 W M00000 20000	

Date:

## Montgomery County Jail Inmate Body Chart

Inmate Name: Bolssonnega Michael Nurse Name: Lindat Hill
I/M SS#: -267 44 299 Today's Date: 1-30-07
I/M's DOB: 10-26-1959 I/M's Allergies: COCOMO



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- Southern Health Partners, Inc.
CONFIDENTIAL MEDICAL INFORMATION

Corporate Office:

Please note our new billing address: Southern Health Partners, Inc. 3712 Ringgold Road, #364 Chattanooga, TN 37412

### Document 20-3

## MONTGOMERY COUNTY DETENTION FACILITY

## Inmate Clothing Inventory

Inmate Name Boissonneau, Michael Booking No
Date: (130 07 Time: 21:20 (AM) (M)
Inital Intake
Color Type or Brand Condition
( Shoes:
( ) Belt:
( ) Hat or Cap:
(T Jacket: Black 34 St. Johns Bay Wall
Inmate's Signature William Signature 1/30/07
Officer's Signature Col. Land. Date 1/30/07
Completion Intake: Color Type or Brand Condition
Completion Intake: Color Type or Brand Condition
( ) Shirt/Blouse: Blue Joh. to Clary Draty (Bloody) ( ) Pants/Skirt: Jan FAMAH Quick Silver Durty ( ) Socks
(+ Other Blue shirt-Chappe Pair
Grey Short-Gock Shock Fair
Locker Number 223 OG
Extra property to be picked up by a friend or relative within 7 days. If not picked up, extra property WILL BE DESTROYED.
Inmate's Signature: Will dis compate! 730/2
Officer's Signature Cpl. J. Jeanhy. Date 1/30/07
Supervisor's Signature Sal Villand Date 1-30-07

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ALABAMA UNIFORM ARREST RL

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## MEDICAL OBSERVATION LOG

DATE: 2-08-07
INMATE NAME: Michael Boissonneau
BOOKING #: 79628
AUTHORIZED BY:
REASON: Medical Observation
CELL: 10-5

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DATE: 2/07/07

INMATE NAME: BOISSONNEAU, Michael

BOOKING #: 179628

AUTHORIZED BY: G. Cobb

REASON: Medical Observation

CELL: 105

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DATE: 2/6/07
INMATE NAME: Michael Boissenneau
BOOKING #: 19628
AUTHORIZED BY: D. Coll
REASON: attercation, on Couniden
CELL: 1C-5

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DATE: 2-06-07

INMATE NAME: Michael Boissonneau

BOOKING #: 79628

AUTHORIZED BY: G. Cobb

REASON: Medical Observation

CELL: 16-6

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1000 m		

DATE: 2-6-07

INMATE NAME: Michael Boissonneau

BOOKING #: 79678

AUTHORIZED BY: Dail Call mya.

REASON: Altercation, on

CELL: 165

TIME INMAT	TE OBSERVED	OFFICER INITIAL	
0 555	1200	JMR DB	
0615	12:15	AM DB	
0630	12:30	SS PP	
0645	12:45	AM PP	
_0700	1300	SS DB	
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0730	1330	LS JR	
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DATE: 2-5-07

INMATE NAME: Michael Boissonneau

BOOKING #: 79628

AUTHORIZED BY: 2001 Coll m-1A.

REASON: Altercation, on couniden.

CELL: 105

TIME INMATE OBSERVED	OFFICER INITIAL
1855	- gar
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- He 15.	3A
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0600	$\sim$

HEALTH

Corporate Office: 3712 Ringgold Rd., #364 Chattaneoga, TN 37412 Corporate Phone: 423 • 553 • 5635 Corporate Fax 423 - 553 - 5645

FAX TRANSMITTAL	Confidential Transmission by SHP
FAX TO: Baptist South	
	F.ax#_286-3343
FROM:	t
From Site Name:	Jail Medical Unit
From Site Phone #	Contgomery City/State Blaboma
PAGE	S: 2, includes cover page
For Your Information Needs Im	imediate Response/Action
lessage(s): Please, send le	el Dorsoneau
etc. Diagnosis +	Dr. assessment from reason
10 nospital adm	of 2/4/07:
Ornank d	leader al
	( and ) RN

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited.



# AUTHORIZATION FOR RELEASE OF MEDICAL INFORMATION TO CORRECTIONAL FACILITY

To Baptist South

I hereby authorize any hospital, clinic, physician's office, and/or health agency to provide any information they may have acquired while attending me for a medical, dental, or psychiatric problem to Southern Health Partners, inc. who is the medical care provider of this Correctional Facility. Such information may include the following items:

Summary of positive findings, most recent history, physical exam including any diagnostic tests; Medical/dental/psychiatric/psychological diagnosts and treatment regimen when last treated; Hospital discharge summary for any/all hospitalization(s); Laboratory and/or Special Study Reports; Any other medical/dental/psychiatric services I may have previously had, currently seeking, or future treatment plans; Other Records:

I understand my records are protected under state and/or federal privacy laws and cannot be disclosed to any other outside party without my written consent unless otherwise provided for by state or federal law. Records received will be kept within the patient's medical file within the correctional medical unit and be used in the ongoing provision of health care services.

I release responsibility and/or liability from the correctional facility for the release of the above requested medical file information to the medical unit to the extent indicated and authorized.

Please send requested documents  ATTN: MEDICAL UNIT/SOUTHERN HEALTH PARTNERS
to the following address: County Name: "Montanmar COLINTY JAIL
Street Address: 200 South ME October Q H
City/State/Zip: Mostlymery (Il Fax: 832-1768)
Patient Name: Michael Boussonery Birth Date: 10/26/59
Social Security Number 247-1899 Dates of Service(s):) 2/4/07 until 2/5/07
Inmate's Signature X Date: 2/6/07
Witness: Date: 26/07
Julio

Final Privacy Rule (page 82540, HIPAA) states while individuals are in a correctional facility or in the lawful custody of a law enforcement official, covered entities (i.e. jail medical units) can use, request or disclose protected health information about these individuals without authorization to the correctional facility having custody as necessary for: the provision of health care to such individuals; for the health and safety of such individuals and other inmates; and the health and safety of the officers of employees of or other as the correctional institution. Covered entities are allowed to disclose protected health information about these individuals if the correctional institution represents that the protected health information is necessary for these purposes.

40.77



Admir Date/Time: 02/04/07

911 MOOREHOUSE, JOHN D

DOB: 10/26/59 Age:47Y MR #:273758 1323P



## **HOME MEDICATION** RECORD/ORDER SHEET

DATE:	Information Provided by: Patient	□ No I Heigh	18 4	Allergies	;:	<del></del>		, , ,			
	Other:	Weig				. ,				11	
LIST ALL PREC	Reconcile all home medications upon admission, transfer and discharge  LIST ALL PRESCRIPTION AND NON-PRESCRIPTION (Over the counter)* MEDICATIONS BELOW:										
*The following list	is provided by the patient and/or th	ESCRIP	TION	(Over the	e cou	nter)* N	/EDI	CATIO	NS BE	LOW:	
LIST ALL MED	ICATIONS BY DEUG NAME		s terrily	or caregiver	Dased		ir best	informa SICIAN			
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Admission Nurse:	O Left with p		Di 4								
Verbal Order - Doctor OR		/Rea	d Back	narge Nurse	*	_RN/LPN	Date		Time:		
<sup>o</sup> hysician Signature;	Nint of house and the state of			Da	ite:	*		77.4		_	
A-Surgeoup Of 1606	ior or nome medication list.										
riesume your home me listed medications with	edications as reported on your Ho out first checking with your physic		ations	Record Shee	et, attac	hed here	to. D	o not tal	se any no	on-	
	out may onecking with your physic	ian.							122	1	





DOB: 10/26/59 Admit Date/Time: 02/04/07 911 MOOREHOUSE, JOHN D



	i when monnaion			AIDALI	11	KE	JORE	)/OR	DER S	SHEET
DATE:	Information Provided by: Patient	O No	H <u>ome</u>	Medication	18 /	Allergies			•	
TIME:	Other:	Heigi		10.5						
		Weig	ht;			N.			į.	
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ME	DICATION NAME	Dose	Route	Frequency	DOSE	UKDER	Yes	No.		NTINUE
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DISPOSITION OF ME	DICATIONS 500-00									
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Admission Nurse:										
OR Urder - Doctor		/ Read	d Back			RN/LPN	Date:	8.0 <del>1</del>	Time:	
Physician Signature: _	ecsint of homo medianting to			<b>.</b>	· ·				1 41 2 155	
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Corporate Office: 3712 Ringgold Rd., #384 Chattaneoga, TN 37412 Corporate Phone: 423-553-5835 Corporate Fax 423-553-5645

plane 286-2957

FAX TRANSMITTAL	Confidential Transmission by SHP
FAX TO: Baptist South	Fax# 286-3343
FROM: Montgoine	
From Site Name:	vali vieulcai Unit
From Site Phone # 832-25-42 From Site Phone #	om Site Fax # 882-7768
4/6/07 PAGES: 2	Indudan
I For Your Information A Needs Immediate Re	ived all of the pages, please contact me Immediately)
Message(s): # low	garte X-raya report
etc. Dignosis + D. a.	resignent from recent
Thank you	14/07:
a Gods	20,RN

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entitles other than the intended recipient is prohibited.

SHP Fax Tjansmillel

SHP...Your Partne 20 Affordable Inmate Healthcare

Page: 1

高級組織 SONNEAU,MICHAEL R Age:47Y MR #:273758 DOB: 10/26/59 Expected Pate/Time of Admit. 911 MOOREHOUSE, JOHN D r auent information



### **AERAS PHYSICIAN ORDER SHEET**

				DRUCK SHEET				
Date/Time	TEST	SYMPTOMS						
LABORATORY								
	O 911 Trauma Panel	GBC Comprehensive Metabolic Troponin	Alcohol Urinalysis Pregnancy Test	PT PTT Type & Cross 2 Units - OR - O-Negative Emergency Release				
	Q 922 Trauma Panel	GBC Comprehensive Metabolic Troponin	Atcohol Urinalysis Pregnancy Test	PT PTT Type & Screen				
	O 933 Trauma Panel	CBC Basic Metabolic Urinalysis	Pregnancy Test					
	C) ABG	Ci Acute Asthma     Ci Acidosis     Ci Alkalosis     Ci Burns to Face     Ci Cardiopulmonary Arrest     Ci CHF	O COPD O Dyspnes (unexplained) O Hypoventilation O Morbid Obesity O Multiple Trauma O Noxious Gas Inhalation	☐ Pleural Effusion ☐ Pneumonia ☐ Pneumothorax ☐ Pulmonary Embolus ☐ Respiratory Distress ☐ Other				
	☐ AccuChek	O Decreased LOC O Hx of Diabeles/Hypoglycemia		O Other				
	☐ Amylase ☐ Lipase	Cl Abdominal Pain Cl Diabetes Cl Nausea/Vomiting	☐ Other					
	BMP Basic     Metabolic Panel	Complications Related to     Pregnancy     Diabetes Complications     Dizziness/Giddiness     Drowsiness	☐ Edema ☐ Febrile Convulsions ☐ Glomerulonephritis ☐ Hypertensive Disease	☐ Hypoglycemia ☐ Long-term use of Medications ☐ Seizure (convulsion) ☐ Other				
The state of the s	CECMP Comprehensive Metabolic	☐ Acidosis ☐ Alkalosis ☐ CHF ☐ Coma ☐ Diabetes ☐ Dlarrhea	☐ Dehydration ☐ Dizziness ☐ Drowsiness ☐ Edema/Asoftles ☐ Hypertension ☐ Long-term Medication(s)	☐ Malnutrition ☐ Nausea/vomiting ☐ Pulmonary Edema ☐ Seizure ☐ Other				
1	O BNP	☐ Congestive Heart Failure ☐ Edema/Lower Extremities	☐ Pulmonary Edema ☐ SOB	☐ Other				
	<b>≪</b> osc	☐ Abdominal Pain ☐ Abnormal Bleeding ☐ Blood Loss — Hemorrhage ☐ Chills ☐ Epistaxis ☐ Fatigue/Malaise ☐ Flank Pain	☐ Infection ☐ Hemoptysis ☐ High Risk Medication(s) ☐ Lethargy ☐ Long-term Medications ☐ Lymphadenopathy ☐ Mainutrition	☐ Pallor ☐ Postural Dizziness ☐ Short of Breath — Apnea ☐ Splenomegaly ☐ Weakness ☐ Welght Loss ☐ Other				
	O Dimer	D Erythema D Lower Extremity Pain	☐ Swelling ☐ Tenderness	☐ Other				
	Ct Digoxin	Arrhythmia (A-Fib/A-Flutter/Abberancy)     Concomitant Use of Interacting Drug     CHF	Digoxin Toxicity Anorexia Nausea Vomiting Diamhea Abdominal Pain Headache	☐ High Risk Patient ☐ Long-term Medication(s) ☐ Other				
	Magnesium	☐ Abnormal Weight Loss ☐ Arrhythmia(s) ☐ Chronic Alcoholism ☐ Coma ☐ Convulsion ☐ Diabetic Acidosis ☐ Diuretic Therapy	☐ Drowsiness ☐ Drug Abuse ☐ Fatigue/Malaise ☐ Hypocalcemia ☐ Hypokalemia ☐ Long-term Medication(s) ☐ Muscular Paralysis	☐ Pre-eclampsia ☐ Shock ☐ Syncope ☐ Tetany ☐ Tremor ☐ Other				
	PIT	□ Acute MI □ Acute Pancreatitis □ A-Fib/A-Fiutter MJ Shafi □ Anemia	☐ Epistaxis ☐ GI Bleeding ☐ Hematuria ☐ Hemorrhage	☐ Long-term Antibiotics ☐ Polsoning by Anticoegulant ☐ Unstable Angina ☐ Vitamin K Deficiency				



PAGE 1 OF 4 Form #ER 16005 Revised 06/01/06



# **AERAS** ORDER SHEET

### Patient Information

Date/Time	e TEST SYMPTOMS:						
		LABORA	TORY				
	C) Troponin I	O Abnormal Electrocardiogram O ACS (Angine, Acute MI) O Apnea/SOB/Wheezing	□ Arrhythmia/Tachycardia □ Chest Paln □ Injury to Thorax, Abdomen, Pelvis	Respiratory Disitess     Insufficiency     Other			
	GrUpinalysis OrClean Catch □ Cath	□ Abdominal Pain □ Diabetes □ Dysuria □ Edema □ Fever	☐ Flank Pain ☐ Hematuria ☐ Hesitancy ☐ Hypertension ☐ Known Kidney Disease	□ Long-term Medications □ Nocturia □ Pelvic Pain □ Trauma to Kidney/Urinary Tract □ Other			
	☐ Foley Catheter	Record Output					
	☐ Blood Cultures	X's	☐ Fever	□ Other			
	☐ Hemoccult ☐ Gastroccult	Other					
	☐ GC Chlamydia ☐ Wat Frep	O Herpes	Other	Olher			
	Urine Pregnancy Serum Pregnancy	O Qualitative O Quantitative					
	C ETOH Level	☐ Urine Drug Screen ☐ Serum Drug Screen	O Other Drug Level(s)				
	O Other Lab Tests	0	0	o			
	☐ Type (Rh) ☐ Type & Screen ☐ Type & Cross	X'sUnits	☐ Other Blood Products				
		R/	ADIOLOGY				
	X-ray  C C-Spine  T-Spine  L-Spine	□ Deformity □ New Injury □ Old Injury □ Pain	☐ Trauma ☐ Other				
ä	X-ray — Defeat Defeatable O Standing PA/L	☐ Abnormal Sputum ☐ Abnormal Weight Loss ☐ Abnormal X-ray ☐ Chest Pain ☐ Clubbing of Fingers	Coma Cough Cyanosis Fever Hemoptysis	☐ Palpitations ☐ Respiratory Infection ☐ Respiratory Distress ☐ Shock ☐ Other			
	X-ray O Abdominal Series O KUB	☐ Abdominal Pain ☐ Abdominal Rigidity ☐ Abdominal Swelling ☐ Abdominal Tenderness ☐ Aneurysm ☐ Asoltes	☐ Blunt/Penetrating Trauma ☐ Edema ☐ Extravasation of Urine ☐ Fever ☐ Hepatomegaly/Spienomegaly ☐ Injury to Blood Vessels	☐ Infection, Post Op ☐ Internal Injury (Thorax) ☐ Abdomen & Pelvis) ☐ Liver Disease ☐ Renal Colic ☐ Other			
	X-ray Upper Extremity 3 ROL	☐ Deformity ☐ New Injury ☐ Old Injury ☐ Pain	O Trauma O Other				
	X-ray Lower Extremity O ROL	□ Deformity □ New Injury □ Old Injury □ Pain	Q Trauma □ Other				
	☐ VQ Scan	O Chest Pain	□ SOB	□ Other			
	☐ With & Without	□ Closed Head Injury (Concussion) □ CVA/TIA. □ Delirium/Dementia. □ Headache (excluding _Migraine)	□ Occlusion of Artery □ Penetrating Trauma □ Seizure □ Sinusitis (chronic) □ Stroke	Subarachnoid – Intracerebral     Hemorrhage     Suspected Metastasis     Syncope/Collapse     Other			





# AERAS PHYSICIAN ORDER SHEET

### Patient Information

				OUDER SHEET
Date/Time	TEST		SYMPTOMS	
		RADIO	.OGY	
	CT □ C-Spine □ T-Spine □ L-Spine	Abnormal gait     Abnormal involuntary movement     Lack of Coordination     Osteomyelitis	Meningitis     Neoplasm     Pain     Spina blfida     Trænsient peralysis limb	Injuries related to MVC G GSW G Stabbing G Other
	☐ CT AngioChest ☐ With IV Only	Chest Pain Chemophysis Discourse Chemophysis Chemophysis	Cl Tachypnea Cl Other	
	☐ CT Pelvis Abdomen ☐ Without Contrast ☐ Oral Contrast ☐ IV Contrast ☐ Rectal Contrast ☐ Stone Search ☐ Appendicitis Protocol ☐ Diverticulitis Protocol	O Abdominal Pain O Abdominal Rigidity O Abdominal Rigidity O Abdominal Swelling O Abdominal Tenderness O Aneurysm O Asciles O Blunt/Fenetrating Trauma O Extravasation of Unine O Fever O Hepatomegaly/Splenomegaly	O Injury to Blood Vessels O Infection, Post Op O Internal Injury (Thorax, O Abdomen & Pelvis) O Liver Disease O Renal Colic	Officer
	CT Other			
	☐ MRI of			
	Ultrasound Complete Abdomen RUQ(GB) Petvic Obstetrical	Abdominal Pain     Abdominal Tenderness     Abnormal X-ray     Ascites     Abdominal Swelling     Abdominal Mass	Colic Flank Mass Flank Pain Flank Pain Flank Tenderness Hepatomegaly/Splenomegaly	© Pelvic Pain © Pelvic Mass © Pelvic Tenderness © Spleen Mass © Other
	☐ Doppler Series	<ul><li>☐ Erythema</li><li>☐ Lower Extremity Pain</li></ul>	□ Swelling □ Tenderness	Q Other
		CARDIOL	OGY	
	BP Both Arms			
	☐ Orthostatic VS			
	☐ Cardiac Monitor			
	EKG			
	☐ Repeat EKG			
	⊒ ECHO			
	Cath Lab			
		RESPIRAT	TORY	
	Pulse Oximetry		10	
	O OxygenL/min	© Cannula □ Non-Rebreather Mask	□ Non-Simple Mask	
	○ Nebulizer	<ul><li>□ Peak Flow</li><li>□ DuoNeb</li></ul>	☐ Albuterol ☐ Atrovent	□ Xopenex □ Other
	☐ Inhaler with space teaching ☐ C-PAP I	D.M. L.C. W.		
	⊇ Bi-PAP	□ Vent Settings		
	☐ Central Line		0,000,000 ± 2   Sept.    2    2,000.00	***
	Chest Tube	□ Right □ Left	:	



23

PAGE 3 OF 4 Form #ER 16005 Revised 06/01/06



DOB: 10/26/59

BOISSONNEAU, MICHAEL R Age:47Y MR #:273758

Expected Date/Time of Admit: 911 MOOREHOUSE JOHN D



## **AERAS PHYSICIAN** ORDER SHEET

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	См Еуе Вох		☐ Morgan Lens ☐ Tetracaine	4.	Comeal E	urr	□ Dad □ Wo	riose ods Lamo	
100 mm m	☐ Nose Tray		O Head Light						
	Dental Box		:				-		
	Ortho Box								
	Pelvic Exam				·				
	🗅 Lumbar Pun	cture							
	☐ NG-Tube								
	☐ Splint								
	Crutch Walk		<u> </u>						
	Suture Set-U	Jp	<u> </u>					AND THE RESERVE OF THE PARTY OF	
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	☐ Psychiatric I	=valuation/		t Chast	<u> </u>		D. 1-1	Seclusion	
	☐ Restraints		See Restraint Ord	IV FLU	IDS		1-2 1.1	Decidorer	
	□ IV Site _ x1	¥2	T		1		$\Box$		
	□  V Bolus		<u> </u>	X500ml	0.	1 Liter		2 Lifers	
	☐ IV Fluids		at	ml/hr		at mi/nr		at mil/hr	
	□ IV Critical D	-las	Cardizem Nipride		Nitroglycerin Integrillin		Dopa	Dopamine	
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TIME					CONSULTS				
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				DISPOS	ITION				
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O DAMA S		signed unsigned D Telemetry Roc		The state of the s		aven Death Certificate Sign			
		O Elopem	nent C Observation F						
	30	□ LBMSE		☐ Surgery			2		
		☐ Work/S	chool Excuse Providence	ded x's Day	S	O Workers Comp Pa	apers Initi	ated	
PHYSICIAN S	GNATURE:	111-	7		EXTENDER (	SIGNATURE:			
Certified Medi	cal Emergency		Ores O No					Dictation #	



Case 2:07-cv-00914-MHT-TFM

Document 20-5

Filed 11/28/2007 Page 10 of 12

VIIAL DAGNO

Patient Name: BOISSONNEAU

Patient ID:

999999999

Date Printed: 4 Feb 2007

Time Printed: 17:30

Bed Number: ED|CP11

Page:

1 of 1

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ST-II	nom	0.4	0.4	0.5	0.5	0.5	0.5	0.5	0.5	0.4	0.5	0.6	
ST-III	mm	0.4	0.4	0.4	0.4	0.4	0.3	0.3	0.3	0.4	0.4	0.3	
ST-V1	mm	0.7	0.7	0.9	0.7	0.8	0.7	1.0	0.9	0.6	0.9	0.7	
ST-AVR	<b>171</b> th	-0.2	-0.2	-0.3	-0.3	-0.3	-0.3	-0.3	-0.3	-0.2	0.3	-0.5	
ST-AVL	mm	-0.3	-0.2	-0.2	-0.2	-0.2	-0.2	-0.1	-0.2	-0.2	-0.2	-0.1	
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NBP-D	mmHg	89		82		87		88		87	100	101	
NBP-M	mmHg	104		106		102		104		106	-	120	
NBP-R	bpm	88	[6	80		79		78		79		85	
SPO2	%	99	97		97	98	99	99	99	98	98	97	
SPO2-R	bpm	88	86	84	80	80	78	80	80	80	80	84	
RR	breaths/min	17	15	17	18	16	16	20	18	17	16	17	
							T.						
					30 to 10 to		100 E						
								***	10	•			
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				13									
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522 105 22													
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	<del> </del>												
										<u> </u>			
						25							



2105 East South Boulevard Montgomery, AL 36116 (334) 288-2100

Name: BOISSONNEAU, MICHAEL R

B000273758

Account:

B0703500227

Age: SS Number: 47 years

MR#: Sex: Male

Admit:

2/4/07

267-49-1299 Moorehouse, John D.,

M.D.

Room/Bed:

Admitting Physician: Ordering Physician:

Moorehouse, John D.,

DOB: 10/26/59 M.D.

### **Routine Hematology**

COLLECTION DATE:	2/4/07		Ι
COLLECTION TIME:	2:30:00 PM		
		REF RANGE	UNITS
WBC	8.1	[4.1-10.3]	X10-3/uL
RBC	4.94	[4.69-6.13]	X 10-6/uL
Hemoglobin	15.7	[13.0-17.5]	gra/dl
Hematocrit	45.8	[40.0-51.0]	%
MÇV	93	[81-100]	FL
MCH	32 H	[27-31]	pg
MCHC	34	[32-35]	gm/dl
Platelet Count	300	[140-400]	X10-3/uL
RDW	12.9	[11.5-14.5]	%
NRBC	0.0	[0.0-0.0]	/100 WBC
NRBC Abs	0.0	[0.0-0.0]	X10-3/oL

### **Automated Differential**

COLLECTION DATE: COLLECTION TIME:	2/4/07 2:30:00 PM		
		REF RANGE	UNITS
Neutro Auto	62	[40-75]	%
Lymph Auto	20	[20-53]	%
Мопо Анто	11	[0-12]	%
Eos Auto	6	[0-8]	%
Basophil Auto	1	[0-2]	%
Immanure Gran Auto	0.5 H	[<=0.0]	%
Neutro Abs	5.0	[1.4-6.5]	#

MR#: B000273758

Room/Bed:

Account: B0703500227

Printed: 2/4/2007 2:42 PM

Page 1 of 2

DOB: 10/26/59

MICHAEL R

Name: BOISSONNEAU,

Sex:

Male

GE Windford Systems
Information Technologies

CIC Version 4.1.1 Sunday, February 94, 2007 5:31:01 PM

END OF REP

T

EDICP1

OISSONNEAU 999999999 2/4/2007 4:57:28 PM

Full Disclosure



## BAPTIST MEDICAL CENTER SOUTH

2105 East South Boulevard Montgomery, AL 36116 (334) 288-2100

2/4/07

Name: BOISSONNEAU, MICHAEL R MR#:

B000273758

Account:

B0703500227

47 years

Sex: Male Admit:

SS Number:

267-49-1299

M.D.

Room/Bed:

Admitting Physician:

Moorehouse, John D.,

DOB: M.D.

10/26/59

Ordering Physician:

Moorehouse, John D.,

## Coagulation

COLLECTION DATE: COLLECTION TIME:	02/04/07 14:30:00		
PT	****	REF RANGE	UNITS
<u> </u>	9.4	[8.9-11.8]	Sec
INR	0.92	[0.89-1.19]	
PTT	27	[21-34]	Sec
D-Dimer Advanced i	2.88 H	[0.40-2.50]	mg/L

2/4/07 2:30:00 PM D-Dimer Advanced: D-Dimer with a result of < 1.0 mg/L can be used to RULE OUT the diagnosis of DVT and PE.

MR#: B000273758

Printed: 2/4/2007 2:58 PM

MICHAEL R

Room/Bed:

Sex: Male

Page 1 of 1

Account: B0703500227

DOB: 10/26/59

Name: BOISSONNEAU,

28

MAME: POTESONNERU, MICHAEL R MR# 273756 EXAMS: DK-07-0014633

DATE: 02/04/2007 AGE: 47 Y DOB: 10/26/1959 SEX: M

HAPTIST SOUTH

2105 East South Boulevard Montgomery, Alabama 36116



NAME: BOISSONNEAU, MICHAEL R

DOB: 10/26/1959

LOC: B-Emerge... RM/BD: SEX: M AGE:

47 Y PRIORITY: Stat METHOD: Portable

SPECIAL ECUIPMENT

EXAM: DX Chest Portable

NAME: BOISSONNEAU, MICHAEL R

DOB: 10/26/1959

EXAM DATE/TIME: 02/04/2007 14:28

ENTRY DATE: 02/04/2007

ENTERED BY: Dean, Nicole A, UC REASON/DIAGNOSIS: paresthesia

BUN: 16

02/19/2006

CREATININE: 1.1

02/19/2006

WT:160.40

SPECIAL EQUIPMENT AND INDICATION:

PRIORITY: Stat

MR#: 273758

AGE: 47 Y

SEX: M

ORDERING MD: Moorehouse, John D., M.D. ATTENDING MD: Moorehouse, John D., M.D.

PREVIOUS EXAM: MR Brain MRI w/ + w/o cont

DATE: 02/21/2006

OTHER EXAMS ORDERED TODAY:

COMMENTS: cp-11

NAME: BOISSONNEAU, MICHAEL R.

MR#: 273758

DOB: 10/26/1959

ORDERING MD: Moorehouse, John D., M.D.

REASON/DIAGNOSIS: paresthesia EXAM DATE/TIME: 02/04/2007 14:28

PRIORITY: Stat

EXAM: DX Chest Portable

COMMENTS: cp-11

NM AUTHORIZED USER:

DX-07-0014633

LOC: B-Emergency Dep RM/BD:

AGE: 47 Y

SEX: M



39-07-0014633 10/26/1959



DOB: 10/26/1959 SEX: M BAPTIST SOUTH 2105 East South Boulevard Montgomery, Alabama 36116

NAME: BOISSONNEAU, MICHAEL R

DOB: 10/25/1959

EXAM DATE/TIME: 02/04/2007 14:28

ENTRY DATE: 02/04/2007

ENTERED BY: Dean, Nicole A, UC REASON/DIAGNOSIS: paresthesia

BUN: 16 02/19/2006

CREATININE: 1.1 02/19/2006

WY:160.40

SPECIAL EQUIPMENT AND INDICATION:

PRIORITY: Stat

MR#: 273758

AGE: 47 Y

SEX: M

ORDERING MD: Moorehouse, John D., M.D. ATTENDING MD: Moorehouse, John D., M.D.

PREVIOUS EXAM: MR Brain MRI W/ + W/o cont

DATE: 02/21/2006

OTHER EXAMS ORDERED TODAY:

COMMENTS: cp-11

NM AUTHORIZED USER:

CT-07-0005386

NAME: BOISSONNEAU, MICHAEL R

MR#: 273758

DOB: 10/26/1959

ORDERING MD: Moorehouse, John D., M.D.

REASON/DIAGNOSIS: paresthesia EXAM DATE/TIME: 02/04/2007 14:28

PRIORITY: Stat

EXAM: CT Brain w/c contrast

COMMENTS: cp-11

LOC: B-Emergency Dep RM/BD: AGE: 47 Y

SEX: M

45/17 ·4 KKQQ 'ON

### BAPTIST MEDICAL CENTER SOUTH

2105 E. South Blvd Montgomery, AL 36116 (334) 288-2100

Name: BOISSONNEAU, MICHAEL R

Account: B0703500227

Lymph Abs	1.6	[1.0-4.8]	#
Mono Abs	0.9 H	[0.1-0.6]	#
Eos Abs	0.5	f0.0-0.71	#

### **Automated Differential**

COLLECTION DATE: COLLECTION TIME:	2/4/07 2:30:00 PM		
		REF RANGE	UNITS
Basophil Abs	0.0	[0.0-0.2]	#
Immature Gran Abs	0.0		X10-3/nL
NRBC	0.0	[0.0-0.0]	/100 WBC
NRBC Abs	0,0	[0.0-0.0]	X10-3/nL

MR#: B000273758

Printed: 2/4/2007 2:42 PM

MICHAEL R

Room/Bed: -

Sex: Male

2 of 2

Account: B0703500227

DOB: 10/26/59

Name:- BOISSONNEAU,

31<sup>N/</sup>

### BAPTIST MEDICAL CENTER SOUTH

2105 East South Boulevard Montgomery, AL 36116 (334) 288-2100

Name: BOIS

BOISSONNEAU, MICHAEL R B000273758

Account

B0703500227

Age:

47 years

MR#: B00027 Sex: Male

Admit: Room/Bed: 2/4/07

SS Number: Admitting Physician: 267-49-1299

M.D.

DOB: 10/26/59

M.D.

Ordering Physician:

Moorehouse, John D.,

Moorehouse, John D.,

Page 5 of 7

## e hemistry

COLLECTION DATE: COLLECTION TIME:	2/4/07 2:30:00 PM		
778		REF RANGE	UNITS
Sodium	140	[135-145]	mmol
Potassium	4.1	[3.5-5.0]	mmol
Chloride	102	[97-112]	mmol

MR#: B000273758

Printed: 2/4/2007 2:50 PM

MICHAEL R

Room/Bed:

Sex: Male

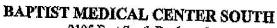
Page 1 of 1

Account: B0703500227

DOB: 10/26/59

Name: BOISSONNEAU,

32<sub>A</sub>



2105 East South Boulevard Montgomery, AL 36116 (334) 288-2100

Name: BOISSONNEAU, MICHAEL R MR#:

B000273758

Male

10/26/59

DQB: M.D.

M.D.

Sex:

Account:

Admit: Room/Bed:

B0703500227

2/4/07

Age:

47 years

SS Number:

267-49-1299

Admitting Physician:

Moorehouse, John D.,

Ordering Physician:

Moorehouse, John D.,

### Chemistry

COLLECTION DATE: COLLECTION TIME:	2/4/07 2:30:00 PM	***	
		REF RANGE	UNITS
Gluc	88	[60-120]	mg/dL
BUN	19	[7-20]	mg/dL
Creat	1,1	[0.6-1.4]	mg/dL
CO2	27	[22-32]	mmol
Calcium	8.7	[8.5-10.5]	mg/dL
Total Protein	8.1	[6.4-8.2]	gm/dl
Albumin	3,5	[2.8-5,0]	gm/dl
Alk Phos	99	[50-136]	u/1
ALT	53	[0-55]	u/1
AST	23	[8-42]	u/I
Bili Total	0.4	[0.0-1.0]	mg/dL

MR#: B000273758

Printed: 2/4/2007 2:49 PM

MICHAEL R

Room/Bed;

Sex: Male

Page 1 of 1

Account: B0703500227

DOB: 10/26/59

Name: BOISSONNEAU,

38A



#### BAPTIST MEDICAL CENTER SOUTH

2105 East South Boulevard Montgomery, AL 36116 (334) 288-2100

Name: BOISSONNEAU, MICHAEL R MR#: B000273758

Sex:

M.D.

DOB:

M.D.

B000273758 Male

10/26/59

Account:

B0703500227

Admit: 2/4/07

Age: 47

47 years

Room/Bed:

SS Number: Admitting Physician:

267-49-1299 Moorchouse, John D.,

Ordering Physician:

Moorehouse, John D.,

# Chemistry

COLLECTION DATE: COLLECTION TIME:	2/4/07 2:30:00 PM		
		REF RANGE	UNITS
Magnesium	2.0	[1,6-2,47	mo/dT.

MR#: B000273758

Printed: 2/4/2007 2:49 PM

MICHAEL, R

Room/Bed:

Sex: Male

Page 1 of 1

Account: B0703500227 DOB: 10/26/59

Name: BOISSONNEAU,

N34



AU,MICHAEL R

DOB: 10/26/59 Age:47Y MR #;273758 Expected Date/Time of Admit:

911 MOOREHOUSE, JOHN D

No. 6699

ğ .4

lof! lof2

© 1996 - 2004 T-System, Inc. Circle or check affirmatives, backslash (1) negatives. Baptist Health

EMERGENCY PHYSICIAN RECORD Neuro Symptoms / Deficit (5)

HISTORY RN / PA / NP sign WYO 1:0 Lia / 007

DATE: TIME: 1355 ROOM: 11 EMS Arrival	Í	
	PAST HX negative	
HISTORIAN: parient spouse paramedics	stroke / Tha	baçk injury
HX / EXAM UNOBTAINABLE 2° TO:		heart disease
HPI) (arrier Jail	high blood pressure	diabetes insulin / oral / diet
	seizuse disorder	lung disease
	cancer	miscaine headaches
difficulty standing / Walking falling	Carreer	high abolesterol
impaired speech		CAD
started: sudden-onset		
X Soly sudden-onset Constant	other problems	20 to light in
gone now better continues in ED) intermittent		de to fight in
weensader .	puson	· · · · · · · · · · · · · · · · · · ·
severity: mild leoderage severe		
context: Dt was hit in the head	Surgeries:	cholesystectomy
	CABG	appendectomy
5 dys ago but was evaluated	pacemaker	hysterectomy
To the fight and found to have	back curgery	tonsillectomy
character of deficit(s): Mult-Tib +x	The Address of the Ad	15 H - 0
new weakness	Methanital ac	orta Vouluit
RUE RLE LUE LLE R/L focial general (diffuse)	1	
Existing (m)[1444)	Medications none See nurse	notes Allergies NKDA
altered sensation	ASA ibuprofen acetaminophe	The nurses note
		THE THE SEA THO BE
• RUE RLE LUE (LLE ) R/L, focial		
	21 1932 1940 VALUE AND THE STATE OF THE STAT	
vision problem		
	SOCIAL HX recent ETOH	Smoker dragebuce
impaired speech / swallowing - difficult unable	nursing home resident	and the same
i adjuste minute	1	
	FAMILY HX stroke migrain	5 DM HAN CAD
decreased ability to stand / walk		110
• weak difficult off balance cannot walk cannot stand		
	ROS	
falling	_HX / _EXAM UNOBTAINABL	£ 2° TO:
	NEURO	CONST
Henry C.	headyne throbbing	+feVer
Usually- walks w/o assistance stands for transfers		EYES/ ENT
uses a cane / walker bed-ridden	passed out / seizure	trouble w/ vision
walks only w/ assistance unable to sit up	passed our versure	sore doroat
unable to walk	head injury + / OC	GI/GU
		падзеа
associated symptoms:	dizziness	Volviting
altered mental status	vertigo lightheadedness	abdominai pain
<ul> <li>disoriented confused agitated trouble concentrating / thinking</li> </ul>		black / bloody stools
decreased responsiveness unresponsive	PULMONARY	trouble-urinating
	chest win	SKIN/LYMPH/MS
	palphanions	skin rash / swelling
Usually-Colort, oriented x3 alert but confused	cough	joint pain
	sputum	back / neck pain
alert but disoriented to time poor electness	rouble breathing	
Nimitar comparation and death.		all systems neg, except as marked
Similar symptoms previouslyNO	ment congestion.	The state of the s
1,70		
Recently seen / treated by doctor_ 401 1 Alon (6)		

4 .1

ROO ON

	, , , , , , , , , , , , , , , , , , ,	
Nursing Assessment		LABS,EKG & XRAYS:
PHYSICAL EXA	M	**************************************
General Appearant	ce	
no acute distress	milet moderate severe distress	1 to the state of
_alert	lethargic / obtunded	The surface of the su
W	appeic . A	Hgb Creat Agnesium Bacteria bacteria
HEENT	scieral icterus / pale conjunctivae	
Zho apparent trauco	depred geg reflex / poor fixedling of secretion	20 11 A 20 10
FMT inexpection arm	pharyngeal erythema / exudate	Diffici - Diffici
abarvay nmi	TM erythema / duliness / blood	
_airway intact	tenderness / swelling / ecchymosis	1
		11/100/
NEURO / PSYCH	_abnormal response to commands	. Tropolari
higher functions	no response eyes open slow inappropriate	EKG MONITOR STRIPNSRRate
_alert	and the state of t	normal abnormal
friented x3	_abnormal response to pain	EKGNMLIncerp. by meReviewed by me Race
_mood / affect nml	withdraws flexor extensor none	NSRnml intervalsnml axisnml QRSnml ST/T
768— <b>1</b> 7		
	_aphasic expressive / receptive	nor_L_changed from:
	disoriented_time/place/person	CXR
		Transport Lines Lines We Librard Wir radiologist
cranial nerves-	facial palsy (R/L)	mil/NAD _no infiltrates _mml heart size _nml mediastinum
_normal as tested	forehead: involved spared	
	_tongue deviation ( to R / L )	not / changed from:
EOM's intact	EOM-palsy	Head CT nml
PERRL	ukequal pupils	Pulse Ox % on RA/ L / % at (time)
<b>3</b>	R pupil 4 mm L pupil 4 mm	normal _abnormal
	_abnormal funduscopic / papilladema	DDANGERS.
		PROGRESS:
cerebellar-	abnormal Romberg / gait / finger-nose test	Be evolution three 4949 unchanged improved re-examined
normal as tested		evaluation time 1/2 unchanged improved re-examined
peripheral exam-	weakness Litemiparests / hemiplegia / dyspraxia (	
no motor deficit	The state of the s	Re-evaluation time 127 unchanged improved re-examined
Ino sensory deficit		
reflexes nmi	pronator drift (RUE/LUE)	
<u></u>	_altered light-touch / pin-prick / 2-pt discrimin.	
P		
	_Babincki reflex ( R / L )	
~Jl/		<u> </u>
Reflexes		
NECK	cerv_lymphadenopathy	TREATMENT:
	stiff neck / meningismus	MEDICAL DECISION:
pon-tender	carotid bruit	Rx given
	***************************************	1444 - 14
RESPIRATORY		Fallow up with
Zno resp. distress	resp. discress	
breach sounds nml	wheezing rales / rhorichi	reinquisned care to Dr
Jeen caur sounds mill	- Jene back the	Relinquished care to Dr.  Discussed with Dr.  CRIT CARE 30-74 min  will see patient in: office /FD / hospital 75-104 min min
r)/e		I the see he seems with a seed to the seems that th
CVS	tachycardia / bradycardia / irreg. irreg. rhythm	Counseled patient / family regarding: Prior records ordered
reg_rate, rhythm	_VD present	lab results diagnosis need for follow-up Additional history from:
heart sounds nml	_murinur grade/6 sys / dias	5
	_gallop*(\$37\$4)	CLINICAL IMPRESSION:
1	pulse deficit	Transient Ischemic Attack Intracerebral Hemorrhage
GASTROINTESTINA	Topa your	CYA (Stroke) Subarachnoid Hemorrhage
	//\	hemorrhagic non-hemorrhagic Subdural / Epidural Hematoma
hon_tender	_guarding	Bell's Palsy Sepsis / Meningitis / Encephalitis
n6 organomegaly	_hepatomegaly / spienomegaly / mass	sepsis recongues a caceptaints
		11 1/2/ 12 1
SKIN	cyanosis / diaphoresis / pallor	Algo prata fourstone
∠color nml, no rash	_skin rash	DISPOSITION home admitted transferred
warm, dry		CONDITION- unchanged improved scable
		. 1/1
EXTREMITIES	pedal edema	x MD/DO x MD/DO
non-render		X MD / BO x MD / BO
Znormal ROM	36	Hzreview, Patient interviewed, Medical Decision Making, and Examined by
_no pedal edema		Physician.
Neuro Symptoms Deficit-	12 4	• ************************************
mento symptoms Deticat-	4D	

O ER

O OP



DOB: 10/26/59 Age:47Y MR #279758
Admit Date/Time: 02/04/07 1329P
911 MOOREHOUSE, JOHN D



Baptist Nursing Chart
HEALTH Long Form Page

	Family Doctor:	Triage Time: / 3/ 4
Date: Source: O Patient O Other:	Brose	-
1		
Sex: OM OF LMP: Weight kg (Actu	ial) Height Immunization	n status: Last Tetanus:
Allergies: O'NKA O Latex	Alle	ergy Reaction:
CHIEF COMPLAINT/Reason for Visit:	\times_C	11 m 11 K
O Return visit Same Day	Charaction (6)	under the ox
O Return visit within 72 hours O Workers Comp	Congression, The	under pour Kit Fx
	METHOD OF ACCESS	
4 3 3 3 3 3 5 5 5 5 5 5 5 5 5 5 5 5 5 5	ited from: Treatment Prior to A	Arrivai:
O Automobile/Other Ambulatory O Home	O None	O O2 Therapy O IV
O Ambulance / Air O Wheelchair O Physician o		O Airway & Medications
	ome O Dressing(s)	
O Garned O Hospital	O Splint(s)	O Monitor O Glucose
VITAL SIGNS TAKEN: O SITTING O LYING O STANDIN	O C-collan Backboan  O Throctatic Vital Cione	d O ACLS Protocol O Decon
Pulse Tir	ne 2 2	PAIN SCALE  Numeric Scale 0=No Pain 10=Worst Pain Imaginable
Time Temp Route Pulse Resp B/P Ox		Ø Pain Intensity Rate: © rest:
Time Temp Route Pulse Resp B/P Ox Pulse Time 1315 99 PO 97 14 149/94 94 96 7	RSC	O Face Scale: (Faces Scale/Mong & Baket) / FLACC
O NEWSCON INVESTIGATE AND ADDRESS OF THE PROPERTY OF THE PROPE		
Level of consciousness: 9 A&O x3 O discriented to dementia O decreased LOC O unconscious		(劉)(劉)(劉)(劉)(劉)(劉)(劉)
		TO 2 4 6 8 TO ROHURT HURTS HUR
Skin: Warrn & Dry O Hot O Cool O Cold O Cla	miny O Diaphoretic O Pale	
Sate in home: 9 Yes O No Intervention:  ADVANCE DIRECTIVES O DNR O LIVING WILL O	NONE O Information Gluon	Onset of pain: Loud week
Past Medical History: O Denies O Unable to A		Quality: establing
Exposure to: O HIV O Aids O SARS O STD Sym	ptoms:	Trauma Assessment O Yes O No
Vaccinations: O Pneumonia O Influenza O Informat	ion Provided	O Assault O MVC Speed
Tobacco Pack/day Alcohol drinks/day Substance Abu	se O Cessation Advised	O Stab Impact: Rear / Front / T-Bone
Neuro: CVA TIA Migraines Seizures G		O GSW O Driver O Passenger
	rtho: Osteo Arthritis Back pain	O Fire O Front O Rear
	ndo: Thyroid Diabetes ancer:	O Fall O Airbag O Restrained
The state of the s	sychlatric: Depression Alzheimer	O Motorcycle O Bicycle
Francisco de la companya del companya de la companya del companya de la companya del la companya de la companya	Autism Parkinson's Bi-polar	Helmet O Yes O No
1	Schlzophrenia Prior Psych Admit	O Other
CURRENT MEDICATION(S) Meds Disposition	Hostite on admission  • O Patient O Family C	) Other
None O See Medication List (attached)	1	Nurse 1
O Narcotics Drug:	Count	Nurse 2
1		diani, a serie de la consta
TRIAGE INTERVENTION(s): O Ice/Elevation O Dressing/St	min O Choose O ENG	Triang Nurse Sinnature III #
Triage Category: Triage disposition time	TO Waiting Room Time	Triage Nurse Signature: ID #
① ② ③ ③ ⑤ Time 1310 O ER Bed_	O`ff Bed O Hallway Be	d_ Chlomi Alder

Mo. DD99

Form ER 16002 Rev. 06/13/06



BO703500277 BOISSONNE-AU, MR #:27375 DOB: 10/26/59 Age:47Y MR #:27375 Admit Date/Time: 02/04/07 1323P 911 MOOREHOUSE, JOHN D

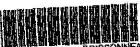
4400 .0M



Patient Name: IV Push is medications given in < 16 minutes (Put medications in the same syringe on one line) **MEDICATIONS** Route Response to Medication Pain Scale Time SC PO Other Medication Push Dose Initials Other 0 0 0 0 O O O O 0 O 0 O 0 0 0 0 Q 0 O 0 0 O O 0 Ó O 00 0 0 0 0 O 0 O TD Adult O DT Pedi O Tetanus Toxoid O Other O Rabies O Rabies IG Thrombolytics: O Cardiac O Stroke O Vasopressors O Intraosseous Infusion O No response to med required PARENTERAL THERAPY - IV FLUIDS O Warmed solution O Buritrol Per Hr IV KVO Lock Start Stop Rate / Repeat Hydration Medication Site Solution/Additive Medication 0 TIME TIME Bolus Med 1 O Time Gauge Attempts x 340 0 0 Q 0 Per Hr IV KVO Lock O O Time Site Gauge Per Hr IV KVO Time Gauge 0 Response to IV therapy INTAKE Amount OUTPUT Oral Urine O Tolerated well, no adverse reaction noted V Gastric **Blood Transfusion** IV Site at disposition Other Other 735 & Patent & Discontinued O Routine O Emergent TOTAL TOTAL ONo redness ONo swelling O catheter intact Total # of units O See flow sheet O Continuous NIBP (strips attached) **Titrated Medications** Vital Signs Pulse Glucose Initials Checks Scale Time Temp. Pulse Resp Ox Time

1.2	TREATMENT CARE		Missing Cuart Long Forth 1980e 4	
O Eye Exam - NO FB found	O Nasal Cautery			
	O Nasal packing-anterior	Patient	Label	
O FB Eye Exam/Slit lamp O FB Eye Exam/No Slit lamp	O Nasal packing-posterior	*		
O Eye irrigation R L Both	O Nasal packing-balloon			
All The Control of th	AND MADE IN A STATE OF THE PARTY OF	L O Procedure "Time Out" by	ens ranger remett range. A	
AmountCARDIOLOGY	O Ear irrigation (ear wax) R	RADIOLOGY	SPECIAL PROCEDURES	
O Cardiac mornitor	O Streight/quick cath for UA		O Isolation (Medical)	
O EKG - by ED staff	O Foley catheter Size	CT US MRI IVP	O Lumbar puncture	
O Repeat EKG by ED staff	O Bladder irrigation	O IV contrast O Oral contrast	O Epidural blood patch	
Repeat Excit by ED state     Pulse Ox-continuous	O Foley removed	O Monitor in radiology / CT	O Procedural sedation IV/IM	
1 62 68 6686 669	1		O Paracentesis / Dx lavage	
O Central line O < 5yr O ≥ 5yr	STATE OF STATE AND AND AND AND AND AND AND AND AND AND	Ø Venipuncture (ED Staff)	O Hypothermia care	
O External pacer	O Rectal disimpaction	Lab Test (any)	O Hyperthermia care	
O Temporary internal pacer	O Enema O Repeat x_	O Specimen collection(not blood)	O uhbarmannia care	
O Cardioversion (electric)	O NG w/ suction	O Point of care test	BEHAVIORAL MANAGEMENT	
O Pericardiocentesis	O NG w/ Lavage		O Psychiatric evaluation	
O Declot vascular device	O G-tube replace O Reposi	O Central line blood draw	O Restraints	
O PICC line O <5yr O ≥5yr	400		O Seclusion or 1:1 obs	
O Arterial Blood Gas	O Sexual Assault Exam	O Hemocult + -	O Involuntary commitment	
O Blood / Needle exposure	O Incontinence Care	O Genital cultures	O Psychiatric code called	
FULIDIPACE CONTRACT C				
1 20 20	· 310-7		O CPR	
O Intubation Tube: O Cricothyroidotomy O Thoracentesis (Needle) O CODE Time:			TO SET US AND ASSOCIATION OF THE PARTY OF TH	
O PTA O ED O Arresthesia O Tracheostomy O Chest tube insertion Medical Pediatric Trauma O Rapid sequence induction O Trach Care Tube size: R/L O Bilateral O Code Sheet Completed			Medical Pediatrio Trauma	
O Ventilation assist Bi-Pap C-P			NAME OF THE PROPERTY OF THE PR	
VEHILLEUM (ASSIST DIT AD C-1	AND STREET, AND ADDRESS OF THE STREET, AND ADDRE	ON / OUTCOME	Trauma team O 1 O 2 O 3	
PATIENT PROPERTY: 0 Sent		e O Patient retains/accepts responsible	lity O Sent with patient	
		O Crutches O Walker O Valuables (		
Discharged Time 1740 A		92 N N N N N N N N N N N N N N N N N N N	Expired Time:	
	D Regular Room	O Hospital	O Coroner called	
O MAN I Eloberticht i	D Telemetry O ICU/CCI		O Released to Funeral Home	
U LBMSE / LBT i	O Surgery O Cath Lab	C F . J. J. J. St.	O Organ donation addressed	
J	O Psychiatric O Observati	marine last the state of the second s	otes:	
TEACHING / DISCHARGE CAI	RE CORE MEASURES:	O AMI O Pneumonia O I	leart Failure O Stroke	
Smoking cessation advised O <	1	s) given to: Discharge Mode:	Accompanied by:	
O Discharge Instruction sheet p	and the second s	O Ambulatory O Carrie	E	
O Verbal understanding of disc		The second secon		
O Meds dispensed by physician	\$ P	O Wheelchair O Streto	E	
O Extended patient education	O Other	<u>,,</u>	O Other	
O Work/School Excuse (see co		pers Initiated (see copy) O ED	Boarder Time:	
TRIAG	E OUT VITAL SIGNS	Triage Out Note:	· · · · · · · · · · · · · · · · · · ·	
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	unchanged O	<u> </u>		
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		Admit Report called to:	Time:	
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Airway and C-spine	O Clear O Obstructed		
O Abnormal	O Intubated size cm @ lip		•
	O C-spine secured by ED staff	. Pat	ient Label
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& Abnormal	R & O O O	0	
		0	
Respiratory	O Labored O Apneic	O Expiratory Grunting	O Home OxygenL/min
2 WNL	ARApid O Retractions	O Cough - Productive	35%
Abnormal	9 Shallow O Stridor	O Cough - Non-productive	
: ·-	O Nasal Flaring O Tracheal deviation	* * * * * * * * * * * * * * * * * * *	
Cardiovascular  WNL		Pain/Tightness O Irregular	Notes: Monitor Phythm
O Abnormal	O Diaphoresis O Dizzin O Arrhythmie O Edem	and the second s	O See Strips O ICD
Neurological	O LOC O Comb	times suggest the means of	Notes:
· O WNL	O Headache O Synco		O Seizure precautions
O Not Assessed	O Disoriented O Seizur		O Neuro vital signs (see NN)
O Playful	O Speech difficulty / slurred O Confu	AND AND AND AND AND AND AND AND AND AND	The same property of the same
O Interactive with	- 1981	nds to Pain only O Follows	O Glasgow Coma Scale
environment		all extremities commands	O CVA Protocol (NIH Stroke Scale)
GI	O N/V/D O Cramping O Const	2000	O Nutritional risk Yes No
D'WNL	vomiting x O Pain O Dister		O Dentures Upper Lower
O Not Assessed	O BS + - O Bleeding O Weigh	t Loss / Gain O Last BM	O Meal Given
GU/GYN	O Pregnant O Pain O Fr	eq/urgency O Amenorrhea	Notes:
& WNL	G_P_AO Distention O Inc	continent O Dysmenorrhea	O Colomy
O Not Assessed	EDC O Hematuria O Fla	ank pain L R O Vaginal Bleeding	O Foley size
a.	O FHTs O Burning O Bk	ood at Meatus O Discharge	Ontile description.
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	O Pain O Unable to Assess O O Swelling W O Unsteady gait O Deformity O Assist Device	9/4/7	■ NOS 05 00 NO NOS 00 NOS 00
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BOISSONNEAU, MICHAEL R Age:47Y MR #:273758

Patient Information

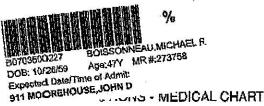
DOB: 10/26/59 Expected Date/Time of Admit: 911 MOOREHOUSE, JOHN D

**EMERGENCY DEPARTMENT NURSING NOTES** 

DATE	TIME	NOTES
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FORM # ER 16009 REV. 03/20/05





### **ER PRESCRIPTION & DISCHARGE INSTRUCTIONS**

Page 3 of 3

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Weight	Phone Allergies						Locatio SOUTH
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ORK/SCH	OOL STATEMENT from	the Emergency Department		******			
AT)ENT	Sign of the same of			DATE			
□ No ath □ May re □ Will re □ Must b	letics / physical educa iturn to work/school wi quire time off work / si		_days*	☐ May return to restr Restrictions:w ☐w ☐ Other	vas here wi	th relativ	e/child.
Time of from school	d or work songer than three days should be a	pproved by a Personal or Company/Occupational Madic	sina Physician, unioss (	otherwise stated.			



FORM # EA 16008 REV. 10/10/06





**Baptist Health** 

### CONDITIONS OF ADMISSION AND CONSENT FOR MEDICAL SERVICES

CONSENT FOR MEDICAL SERVICES: I present myself for medical services at Baptist Medical South, Baptist Medical East or Prattville Baptist Hospital, hereinafter "Baptist Health". I consent to such care as my physician orders an all other persons caring for me deem necessary and beneficial. I understand that this care may include examinations, tests, medical and/or surgical treatment. I also understand that such treatment may involve risks and that no guarantees have been made to me about the outcome of this care. I understand that the physicians on the staff are independent contractors, and not employees or agents of Baptist Health. I understand that I have the right, in collaboration with my physician(s), to make decisions involving my health care and to accept care or to refuse treatment to the extent permitted by law and to be informed of the medical consequences of such refusal.

**PERSONAL VALUABLES:** I have been asked/advised to either deposit with the business office or otherwise send home all valuables, including but not limited to money, jewelry, rings and watches. I understand that should I choose to retain some with me, that Baptist Health cannot be responsible for them and I hereby release Baptist Health from any responsibility for the loss of my retained valuables.

ASSIGNMENT OF BENEFITS AND FINANCIAL RESPONSIBILITY: I hereby authorize payment of all insurance benefits, basic and major medical, for this period of medical, emergency and/or diagnostic treatments to be made directly to the Baptist Health hospital rendering care, and to all entities contracted with Baptist Health to perform services. I understand that I am financially responsible for all charges not covered by insurance payments, and that all efforts for collection of those benefits are for my convenience and do not represent a guarantee for collection or a credit to my account until such time as payment is received by Baptist Health and the contracted entities. I also assign the benefits payable for physicians' services rendered to me to the physicians or physician group to submit a claim to my insurance company(ies), Medicare and/or Medicaid. I will be responsible for any collection fees, court cost and/or attorney fees incurred while collecting on my account(s). For the purposes of acknowledging this assignment, a copy of this original consent shall be as valid as the original.

IMPORTANT MESSAGE ABOUT MEDICARE INPATIENT RIGHTS - ACKNOWLEDGEMENT OF RECEIPT:

I have received a copy of CMS's Important Message About Inpatient Medicare Rights.

NOTICE OF PRIVACY PRACTICES - ACKNOWLEDGEMENT OF RECEIPT:

I have received a copy of Baptist's Notice of Privacy Practices.

#### CONSENT FOR PRESENCE OF STUDENTS/MEDICAL REPS:

I hereby consent to the presence of students and/or medical sales representatives, in appropriate circumstances, for the purpose of advancing medical education/techniques.

#### PATIENT INFORMATION DISCLOSURE:

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NO, I want to be in the hospital directory

2. While hospitalized, my medical/health information may be released to only (circle all that apply):

spouse	other relative(s)	personal representative
members of immediate family	close personal friends	gene
Witness: 0 4 00	Patient or Responsible Party  Legal Guardian/Proxy:	Mathemalerner
Reason patient signature was not obtained:		



Ton - Patient:

Case 2:07-cv-00914-MHT-TFM Document 20-7 Filed 11/28/2007 Page 11 of 12 NEAU,MICHAEL R □ SOUTH 286-2843 Age:47Y MR #:273758 O EAST 244-8448 ☐ PRATIVILLE 361-4239 DOB: 10/26/59 **ER PRESCRIPTION &** Expected Date/Time of Admit: aptist 911 MOOREHOUSE, JOHN D DISCHARGE INSTRUCTIONS HEALTH PRESCRIPTION FORM Page 1 of 3 Weight Phone Location SOUTH MEDICINES PRESCRIBED VOID IF NOT PRINTED WITH CRANBERRY BACKGROUND If non; check this box: Name/Strength; Number Schedule / Duration No Refills Refills Dante DeJesus, M D Joel Sullivan, M.D. Ronald A. Shaw, M.D. Julio Enrico Rios, M D Wallace Falero, M D DEA - AF0692119 James M. Bradwell, M.D. DEA - BD 9322063 Joseph A. Foster, M D DEA BF3547760 DEA: AS5646813 DEA BR2471326 DEA BB6422086 ARN 10094 AL - 6388 ARN : 21678 AL - 9405 AL 22767 AL 17881 David G. Alexander, D.Q. John-Moorehouse Jessie Austin, M.D Julian Mahaganasan, M.D. George Smith, N'D Joseph Lester, M.D. DEA: AM6869119 ØEA - AA8394075 DEA - BM7656121 DEA AS2179706 DEA BL9804421 AA3259226 ARN - 8595 AL 24516 AL 11413 Victoria L. Beckman, M.D. Carlos Gutterrez M.D. Joshua Kotouc, M D James Matic, M.D. David Hines, M D Kevin Crandell, M D DEA - 886253885 DEA - BG6616203 AL 24653 A - 8K9526724 DEA BM3360536 DEA FC0008791 AL 24936 DEA BH25311,60 AL 22703 AL, 22440 AL 17681 LABEL ALL PRESCRIPTIONS M.D./D.O Product Selection Permitted No Refils M.D./D.O. Dispense as Written

Expected Date/Time of Admit: 911 MOOREHOUSE, JOHN D

Age:47Y MR #:273758



**ER PRESCRIPTION &** 

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off from school or work longer than three days should be approved by a Personal or Company/Occupational Medicine Physician, unless otherwise

### MEDICATION ADMINISTRATION RECORD

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# Case 2:07-cv-00914-MHT-TFM Document 20-8 MEDICATION ADMINISTRA. IN RECORD

Filed 11/2900000 MERYGEOUNTO JAIL BOISSONEAU, MICHAEL REPORT DATE: 08/07

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**MEDICATIONS** 

COLMADIN 57 MG TABLET at

MORNING

RESIDENT

BOISSONEAU, MICHAEL

TAKE I TABLET IN THE

WARFARIN SODIUM 5 MG FABI 02/12/08

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# Case 2:07-cv-00914-MHT-TFM Document 20-8 MEDICATION ADMINISTRATION RECORD

Filed 11/28/2007 OMERAGE 5 WM BY JAIL BOISSONEAU, MICHAEL REPORT DATE: 05/07

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RESIDENT BOISSONEAU, MICHAEL	008 10/26/1959	Sex Room AA Pa	de BOISMICH	Admission Date 00/00/00

BOISMICH

## MEDICATION ADMINISTRATIC RECORD

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Southern Health Partners, Inc.
CONFIDENTIAL MEDICAL INFORMATION

Corporate Office:

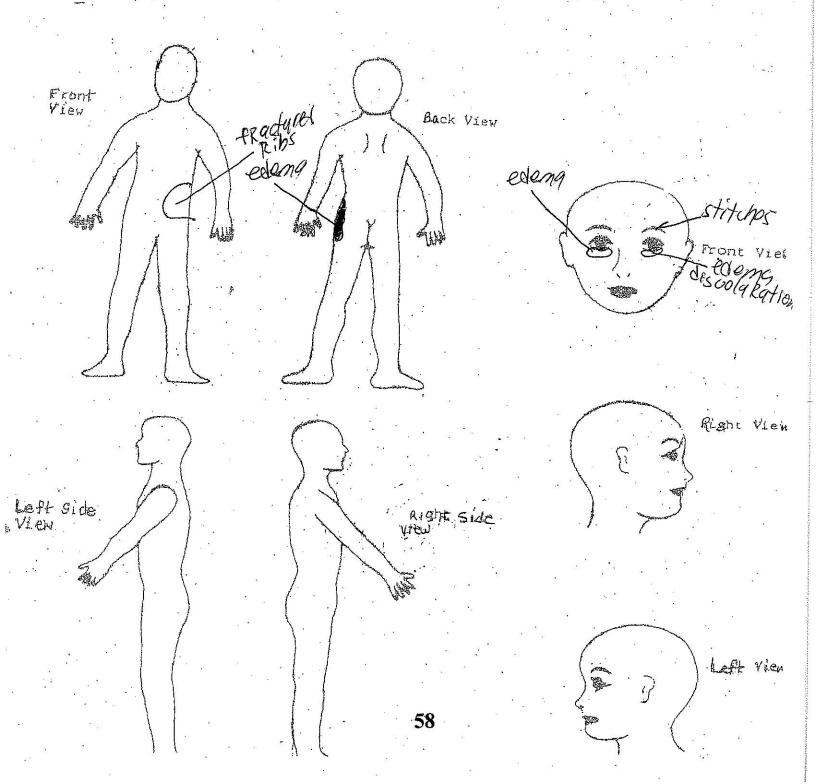
Please note our new billing address: Southern Health Partners, Inc. 3712 Ringgold Road, #364 Chattanooga, TN 37412

### Montgomery County Jail Inmate Body Chart

In mate Name: Boissonneau Michael Nurse Name: Linda E Hill

I/M SS#: -267-49-1279 Today's Date: 1-30-07

I/M's DOB: 1026-1959 I/M's Allergies: COOCING



# Physician's Orders

Southern Health Partner's Inc.

Inmate Name: <u>Roissonneau Mich</u>	had
SS#: 967-49-1899	
DOB: 10-26-1959	Montgomery
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Filed 11/28/2007 Case 2:07-cv-00914-MHT-TFM Document 20-9 hat Southern Health Partners to Office: \$712 Ringfold Rd., \$364, Chattanooga, TN 37412 Phone: (423) 553-4631 Part (423) 553-5645 PATIENT REFERRAL INFORMATION FORM This patient premity inverseisted at the jell facility listed below. Patient is a been referred to your fill/facility regarding his/our symptoms or conditions the below. All subsequent term, procedures, and companies carries than requested survines must be communicated and approved by a positive contact general facility to nearer justification. Failure to notify the medical contact person may requir in reduced bears. Sindler possible of regeneral if heapital admiration is accountry, please communicate any and all medical information as well as a seal and length of stay to our littlession Raylew Department at our warporate office at the fillers shows. Cartification, justification, and/or contact plan of continued services must be obtained to guarantee payment of the claim. Picare, note we have a NO NARCOTIC polloy at the juil do the uncontralied service must be obtained to guarantee payment of the claim. Picare, note we have a NO NARCOTIC polloy at the juil do the uncontralied service must be obtained to guarantee payment of the claim. Picare, note we have a NO NARCOTIC polloy are the juil do the uncontralied service must be obtained to facility. Picare, tothe to our site medical sight for formulary adherence. Therefore the process of the facility and the process of the facility of the process of the facility of the process of the proc TO BE COMPLETED BY THE MADICAL STAFF AT THE JAILPRISON: 07 Patient's Name (Last/First): Boissoneau, Mi Appt. Date Lime: Sex M Housing Willty/Site: Mont. County Init/87070 Appt. Destination: BMC South Appt. Admis & Phone #: 2105 Site Median Contact (RN/LPN): Site Physician: Nichola Simpledical Unit Phone #: (334) 832-2542 Site Medical Unit Pax #: (334) 832-7768 Reserve FarReferral: (Include like of dimensifulary, present and past treatment with patient results, ist and/or x-ray results, findianafrom physical even, patient limitations, allergies, medications, etc.) Service Lucsted: BVAL TX 120 TO BE COMPLETED BY THE REFERRAL STAFF AND RETURNED WITH INMATE BACK TO THE FACILITY: Findinge: Planned I setment: BR/Hospin Physician Orders: ER/Hospital Contact (Include Phone #): Notes: Planes, rough this form with the correctional staff upon discharge of the patient or fax directly to the site fox #

noted about If transfers herpitalization is required, medical staff MUST be notified immediately. Authorization payment of sarview is only guaranteed during the time of satual confinement of the inmate under the custody of the above listed fallign as and under the forms of our County contract.

### PROGRESS NOTES

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# QCHC SICK CALL REQUEST

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# QCHC SICK CALL REQUEST

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Case 2:07-cv-00914-MHT-T	FM Document 20-9 File	ed 11/28/2007 Page 10 of 15
Montgomery County Detenti/ F		dical Division Charge Sheet
Inmate Name: MICAUL J	Zossoneau	$R/S \frac{\omega/M}{M}$ DOB $\frac{10-26-5}{M}$
Booking No. 79628	SERVICES	Floor Cell
XRay \$10.00	Doctor Visit \$10.00	Nurse Visit \$10.00
Lab \$10.00	DentistVisit \$10.00	Prescription \$3.00
Nursing Staff Signature	COM CON	DateQ
Inmate Signature	Legener	LDate 26-07
White Original: Medical File	Yellow Copy: Accounts Man	ager / Pink Copy: Inmate
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Montgomery County Detent Fa		dical Division Charge Sheet
Inmate Name: <u>bowwydou</u>	, Michael	_R/S DOB
Booking No. $99028$	SERVICES	_Floor Cell
XRay \$10.00 Lab \$10.00		Nurse Visit \$10.00 Prescription \$3.00
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Montgomery County Detention F	ility	Med I Division Charge Sheet
Inmate Name: 4701350nne	au, Michael	
Booking No. 79628	SERVICES	Floor <i></i>
XRay \$10.00 Lab \$10.00	Doctor Visit \$10.00 DentistVisit \$10.00	Nurse Visit \$10.00 Prescription \$3.00
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QCHC SICK CALL REQUE	ST .
Check one: Dental Medical	Mental·Health
Name: Michael Boissoniau Inmate I.D. Nur	ther 70/00
Social Security	Mr. 4049
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Medical Problem (be specific):	ack on both sides
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FOR MEDICAL MAIT USE ONLY	ozy Oyime
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- Acres and the second	
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	cours grapmanings
B:	124 06-26-07 4:18PM
	CLARITY: COLOR: YELLOW &&
District	MULTISTIX 10 SG
Disposition:	GLU NEGATIVE
November	BIL NEGATIVE KET NEGATIVE
Nursing Protocol:	N-1 NEGETIVE
Provide 1	SG 1.015
Provider's Signature: Date	

# QCHC SICK CALL REQUEST

Check one: Dental Medical Mental Health
Name: Michael Boissonneau Inmate I.D. Number 79628
Social Security No
Housing Unit 3A - 4
Medical Problem (be specific): I have been taking some kind
But my lower back pain and might side is getting sun
I have also been running a fever and burning appar
I have also been running a - Fever and burning upar
Inmate's Signature / Lechos Downwar Date July 5 - 07 Time
FOR MEDICAL UNIT USE ONLY
S: My lower pack hunts"
- (ant) 2 10 150/
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ongoing 1-2 weeks.
Barry 20 11/1/201 11 0 - 610.
Joseph John Chin
E:
Disposition:
Nursing Protocol:
Provider's Signature: Mush Date 7/1107 Time
Referred to Physician Appointment Date Time

QCHC	SICK CALL REQUE		14.
Check one: Dental  Name: Deissheau Micha  Medical Problem (be specific):	Inmate I.D. No Social Security Housing Unit	No. 247-49-1299	
		*	9
Inmate's Signature	Date	Time	*
FOR MEDICAL UNIT USE ONL'S:		lumbel pui.	**
O: T 99,0 P RR B  But of on a  Sulfator  A: 11 has but fine  21 About in a	- O shift	by wi At comb	
P: 1 With Un		Poissarau Michael 145 07-18-07 11:43AM CLARITY: Clear COLOR: YELLOW	
E:		MULTISTIX 10 SG  GLU NEGATIVE ALLO BIL NEGATIVE KET NEGATIVE	, O
Disposition:  Nursing Protocol:  Provider's Signature:		SG >=1.030  BLO NEGATIVE  PH 5.5  PRO 30 ma/dL  URO 0.2 E.U./dL  NIT NEGATIVE  LEU NEGATIVE	1 September 1
Referred to Physician Appointm	Datenent Date	Time	**

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QCHC SICK CALL REQUEST	
Check one: Dental Medical Mental Health  Name: Medical Inmate I.D. Number 79638	c
Social Security No.	
Housing Unit	<i>II</i> .
Medical Problem (be specific): My Lower back and lost side	e is hurting
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and memory lost. Dizzy spells shocking	no view de
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Inmate's Signature	
FOR MEDICAL UNIT USE ONLY	M
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Disposition:	ε
Nursing Protocol:	*
Provider's Signature:	
Referred to Physician Appointment Date Time	

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## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

MICHAEL RONNIE BOISSONNEAU,

Plaintiff,

Civil Action No.

VS.

2:07-cv-914-MHT

DAVID TIBBS, etc., et al.,

Defendants.

# **SPECIAL REPORT**

COMES NOW the Defendant D. T. Marshall, Sheriff of Montgomery County, Alabama, and submits the following Special Report to this Court.

#### **DOCUMENTS**

Affidavit of D.T. Marshall

Affidavit of Gina M. Savage

#### PLAINTIFF'S ALLEGATIONS

In Count I and II of the Complaint, Plaintiff asserts claims for excessive force, and unlawful arrest and search against Defendant Tibbs. In Count III of the Complaint, Plaintiff asserts a claim against Sheriff D.T. Marshall and the Staff at the Montgomery County Detention Facility for deliberate indifference to medical needs. Plaintiff claims that when he was incarcerated at the Montgomery County Detention Facility on January 30, 2007, he was not examined by medical personnel, and he was made to sleep on a mattress on the floor. He further claims that he was denied medical treatment for a period of two weeks. (Complaint, p. 2) Plaintiff seeks monetary damages and injunctive relief against the Defendant Marshall.

#### **FACTS**

Plaintiff Michael Ronnie Boissonneau, a pre trial detainee, was booked into the Montgomery County Detention Facility on January 30, 2007, charged with Reckless Endangerment, Assault II and Resisting Arrest. (Gina Savage Affidavit, ¶ 3) Bond was fixed at \$6,500.00. (Id.) Charges of Escape I were added and his bond was increased to \$7,500.00.(Id.)

When Plaintiff was booked into the facility at 1630 hours on January 30, 2007, the Lieutenant on duty was advised that Plaintiff had suffered injuries during his arrest and that he had been treated at Jackson Hospital Emergency Room. (Gina Savage Affidavit, ¶ 3; Incident Report attached thereto, pp. 1-2; medical record attached thereto, p. 44) The arresting officer presented the medical discharge paperwork. (Id.) The medical nurse on duty reported to booking to examine Plaintiff at 1835 hours. (Gina Savage Affidavit, ¶ 3; Nurses notes attached thereto, pp. 3-4) The nurse's notes indicate that Plaintiff suffered edema to bilateral eyes with 2 stitches above left eye. (Id.) His face and nose were red with dried blood on his nose and checks. (Id.) Edema was also noted on the left side of back with discoloration. (Id) His eyes and the left side of his body were also tender to touch. (Id.) After being examined, Plaintiff was placed in a holding cell. (Gina Savage Affidavit, ¶ 4) At approximately 2130 hours he was showered and dressed in facility clothing. (Gina Savage Affidavit, ¶ 3; Incident Report attached thereto, p. 1)

Plaintiff was seen by Dr. Nichols of Southern Health Partner's, Inc., on January 30, 2007, and was prescribed Percogesic for rib fractures. (Gina Savage Affidavit, ¶ 4; medical record attached thereto, p. 59) Plaintiff was examined again on February 4, 2007, and then transported to Baptist ER on February 4, 2007, for follow-up. (Gina Savage Affidavit, ¶ 4; Nurse's notes attached thereto, p. 57; records from Baptist Health, pp. 17-46, 60) Numerous lab tests were conducted and reviewed by medical personnel with normal results. (Gina Savage Affidavit, ¶ 4; medical records attached thereto, pp. 21-34) On February 6, 2007, Plaintiff was prescribed Doxycycline for bronchitis and continued on Coumadin, which he was taking prior to entering the facility. (Gina Savage Affidavit, ¶ 4; medical record attached thereto, pp. 59, 61)

Upon being booked into the facility, Plaintiff was housed in a first floor holding cell for medical observation. (Gina Savage Affidavit,  $\P$  4) He was observed continuously by medical personnel and detention facility staff until February 12, 2007, when he was removed from the first floor holding cell and placed in general population. (Id.; observation notes attached thereto, pp. 8-15)

Plaintiff was seen by medical personnel on March 13, 2007. (Gina Savage Affidavit, ¶ 4; medical record attached thereto, p. 59) Plaintiff submitted sick call requests for miscellaneous medical complaints and was seen by medical personnel on May, 25, 2007, June 26, 2007, July 11, 2207, July 18, 2007, and July 30, 2007. (Id., see also medical records attached thereto, pp.62-71) Plaintiff did not file a grievance or complaint regarding lack of medical treatment while incarcerated at the Montgomery County Detention Facility. (Gina Savage Affidavit, ¶ 5) Plaintiff was released from the Montgomery County Detention Facility on November 15, 2007. (Gina Savage Affidavit, ¶ 6) He was never denied medical treatment while incarcerated in the Montgomery County Detention Facility. (Id.) It is the policy of the Montgomery County Detention Facility that every effort will be made on the part of facility personnel to

ensure safe custody, decent living conditions, and fair treatment for all inmates. (D. T. Marshall Affidavit,  $\P$  3) The total daily operations of the Montgomery County Detention Facility are the responsibility of the Director of the Montgomery County Detention Facility. (Id. at  $\P$  2)

Sheriff Marshall has never had any contact with the Plaintiff and has no knowledge of the Plaintiff's medical treatment or medical condition while incarcerated at the Montgomery County Detention Facility. (D.T. Marshall Affidavit, ¶ 3) Montgomery County has contracted with an outside medical services company to provide medical treatment to the inmates at the facility. (Id. at ¶ 3)

#### **DEFENSES**

- 1. The Complaint fails to state a claim against Defendant Marshall upon which relief can be granted.
- 2. Defendant did not violate any of the Plaintiff's constitutional rights afforded him under law.
- 3. Defendant is entitled to immunity under the Eleventh Amendment to the United States Constitution with respect to Plaintiff's claims against him in his official capacity.
- 4. All official capacity claims against Defendant Marshall must be dismissed because in his official capacity, Defendant is not considered a "person" subject to liability under 42 U.S.C. § 1983.
- 5. Defendant is entitled to qualified immunity with respect to Plaintiff's claims against him in his individual capacity.

- 6. Defendant avers that he acted in a manner that was in accordance with previous court rulings regarding the operation of the Montgomery County Detention Facility.
- 7. Defendant avers that the prison regulations in question were reasonably related to legitimate penological interests.
- 8. Defendant avers that Plaintiff's claim for deliberate indifference to serious medical needs is due to be dismissed because Plaintiff was afforded more than adequate medical care while incarcerated at the Montgomery County Detention Facility.
- 9. Plaintiff's claim for emotional distress is due to be dismissed because Plaintiff has not suffered any physical injury as a result of living conditions at the Montgomery County Detention Facility.
- 10. Plaintiff's claims are due to be dismissed because he failed to exhaust administrative remedies.
- 11. Plaintiff has failed to satisfy the requirements for injunctive relief therefore all claims for injunctive relief are due to be dismissed.

#### MEMORANDUM OF LAW

#### A. Official Capacity Claims.

Plaintiff's claims against Defendant Marshall in his official capacity must be dismissed because he is entitled to immunity pursuant to the Eleventh Amendment to the United States Constitution. The Eleventh Amendment prohibits suits in federal court against States and state officials in their official capacities. Kimel v. State of Florida Bd. of Regents, 139 F.3d 1426, 1429 (11th Cir. 1998); Parker v. Williams, 862 F.2d 1471 (11th Cir. 1989). Under Alabama law, sheriffs are state officers, and tort claims brought against sheriffs based on their official acts constitute suits against the State of Alabama. Lancaster v. Monroe County, 116 F.3d 1419, 1429 (11th Cir. 1997); Parker v. Williams, 862 F.2d 1471 (11th Cir. 1989), rev'd on other grounds, Turquitt v. Jefferson County, 137 F.3d 1285 (11th Cir. 1998).

Plaintiff's claims against Defendant Marshall in his official capacity under 42 U.S.C. §1983 should also be dismissed because in his official capacity, Defendant is not considered a "person" subject to liability under 42 U.S.C § 1983. *Will v. Michigan Dept.* of State Police, 491 U.S. 58, 109 S.Ct. 2304, 105 L.Ed. 2d 45 (1989); Adams v. Franklin, 111 F.Supp.2d 1255 (M.D.Ala. 2000).

### B. Qualified Immunity.

For liability under § 1983, specific acts of personal involvement in the deprivation must be shown. *Respondeat superior* liability is not cognizable under § 1983. *Braddy v. Florida Dep't. of Labor & Employment Sec.*, 133 F.3d 797, 801 (11th Cir. 1998); *Smith v. State of Alabama*, 996 F.Supp. 1203, 1212 (M.D.Ala. 1998). If the complaint does not allege that a defendant personally participated in the alleged constitutional deprivation, it should demonstrate an affirmative causal connection between the defendant's acts and the alleged constitutional deprivation in order to state a cause of action under § 1983. *Braddy*, 133 F.3d at 801-802; *Smith*, 996 F.Supp. at 1212.

The Eleventh Circuit has also imposed a "heightened pleading requirement" on plaintiffs when evaluating claims of qualified immunity. *GJR Investments, Inc. v. County of Escambia*, 132 F.3d 1359, 1367 (11th Cir. 1998). This requires that the plaintiff's complaint contain detailed allegations and specific facts concerning each defendant, which indicates what each defendant did to violate the plaintiff's rights.

"Otherwise, the court must conclude that the named defendants, sued in their individual capacities, are entitled to qualified immunity from claims under both §§ 1981 and 1983." *Smith v. State of Alabama*, 996 F.Supp. 1203, 1212 (M.D.Ala. 1998).

Plaintiff's Complaint fails to set forth any facts of any personal involvement of Defendant Marshall in the alleged constitutional deprivations complained of by Plaintiff. There is also no allegation demonstrating a causal connection between the alleged acts or omissions of Defendant Marshall and the Plaintiff's alleged injuries. It further appears that Sheriff Marshall is sued solely because he had supervisory authority over the Detention Director and personnel at the detention facility. Because there are no facts demonstrating any personal involvement by Defendant Marshall, he is entitled to qualified immunity.

"Qualified immunity protects government officials performing discretionary functions from civil trials (and the other burdens of litigation, including discovery) and from liability if their conduct violates no "clearly established statutory or constitutional rights of which a reasonable person would have known." *Gonzales v. Lee County Housing Authority*, 161 F.3<sup>rd</sup> 1290, 1295 (11<sup>th</sup> Cir. 1998). Defendant was acting within the scope of his discretionary authority, and the burden is therefore on the Plaintiff to demonstrate that Defendant's actions rise to a constitutional violation, and that Defendant violated clearly established law. *Hope v. Pelzer*, 536 U.S. 730 (2002). "The relevant, dispositive inquiry in determining whether a right is clearly established is whether it would be clear to a reasonable officer that his conduct was unlawful in the situation he confronted." *Saucier v. Katz*, 533 U.S. 194, 202 (2001). The applicable law "must be sufficiently clear that a reasonable official would understand that what he is doing

violates that right." *Anderson v.Creighton*, 483 U.S. 635, 640 (1987). In determining whether the unlawfulness of an official's actions was clearly established, "the salient question . . . is whether the state of the law [at the time of the unconstitutional act] gave [the official] fair warning that [his] alleged treatment of [the plaintiff] was unconstitutional." *Williams v. Consol. City of Jacksonville*, 341 F.3d 1261, 1270 (11<sup>th</sup> Cir. 2003) *quoting Hope*, 536 U.S. at 741. Plaintiff cannot meet this burden; therefore, his claims should be dismissed.

Defendant is also entitled to qualified immunity because Plaintiff has failed to allege or demonstrate a constitutional violation. In evaluating the defense of qualified immunity, the court must first determine whether the complaint states a claim for a constitutional violation. *Siegert v. Gilley*, 500 U.S. 226 (1991).

#### **Deliberate Indifference to Serious Medical Needs.**

In *Farmer v Brennan*, 511 U.S. 825, 837 (1994), the Supreme Court held that the standard of deliberate indifference equated to that of "subjective recklessness" as that term is defined in criminal law. The official must know of an excessive risk to inmate health and disregard that risk. *Id.* at 837-383. In other words, the "official must both be aware of facts from which the inference could be drawn that a substantial risk of serious harm exists, and he must also draw the inference." *Id.* An official's failure to respond to a significant risk that he should have perceived but did not is not deliberate indifference. *Id.* Summary judgment must be granted for the official unless the plaintiff presents evidence of the official's "subjective knowledge" of a substantial risk of serious harm. *Campbell v. Sikes*, 169 F.3d 1353, 1364 (11th Cir. 1999). In addition, "[m]edical treatment violates the Eighth Amendment only when it is 'so grossly incompetent,

inadequate, or excessive as to shock the conscience or to be intolerable to fundamental Mere incidents of negligence or malpractice do not rise to the level of constitutional violations." Harris v. Thigpen, 941 F.2d 1495, 1505 (11th Cir. 1991).

In the present case, there is no allegation that Defendant Marshall had any knowledge of the Plaintiff's medical condition, and that with knowledge of this condition, Defendant Marshall knowingly or recklessly disregarded Plaintiff's alleged medical condition by failing or refusing to provide medical attention. The undisputed evidence is that Plaintiff did in fact receive medical treatment. It is also undisputed that Defendant Marshall had no knowledge of Plaintiff's medical condition and was not involved in Plaintiff's medical treatment. (D.T. Marshall Affidavit, ¶ 3) Plaintiff's deliberate indifference claims against Defendant Marshall should therefore be dismissed.

#### C. Failure to allege physical injury.

Pursuant to the Prison Litigation Reform Act, 42 U.S.C. §1997e(c)(1), the court, on its own motion, shall dismiss a case challenging prison conditions if the court determines that an action is frivolous or fails to state a claim on which relief may be granted. 42 U.S.C. §1997 e(e) provides that "[n]o federal civil action may be brought by a prisoner confined in a jail, prison or other correctional facility, for mental or emotional injuries suffered while in custody without a prior showing of physical injury." These provisions were enacted by Congress to control and curtail the flood of inmate suits that are filed in the courts. See Dupree v. Palmer, 284 F.3d 1234, 1236 (11th Cir. 2002)("The purpose of the PLRA is to curtail abusive prisoner litigation.") In accordance with this provision, the PLRA prevents recovery "for mental or emotional injury . . . without a prior showing of physical injury." 42 U.S.C. § 1997e(e). *See also, Mitchell v. Brown & Williamson Tobacco Corp.*, 294 F.3d 1309, 1312 (11<sup>th</sup> Cir. 2002).

The Plaintiff was incarcerated at the MCDF at the time he filed this lawsuit. Plaintiff alleges no physical injury as a result of the living conditions at the Montgomery County Detention Facility. He merely alleges that he had to sleep on a mattress on the floor and makes a generalized, conclusory allegation that he was denied medical treatment. Because Plaintiff has failed to allege a physical injury, his claims should be dismissed.

# D. <u>Failure to exhaust administrative remedies as to claims regarding prison conditions.</u>

Under the Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), inmates must exhaust their administrative remedies before filing suit against prison officials. The exhaustion requirement of the PLRA is a "mandatory exhaustion requirement." *Alexander v. Hawk*, 159 F. 3d 1321, 1324 (11th Cir. 1998). The Eleventh Circuit has held that the exhaustion of administrative remedies under the PLRA is a "pre-condition to suit." *Id.* at 1325-1326; *see also Harris v. Garner*, 190 F. 3d 1279, 1286 (11th Cir. 1999)("For the reasons stated therein, we reaffirm that § 1997e(a) imposes a mandatory requirement on prisoners seeking judicial relief to exhaust their administrative remedies first"); *Brown v Toombs*, 139 F.3d 1102, 1104 (6th Cir. 1998), *cert. denied*, 522 U.S. 833 (1998)("District courts should enforce the exhaustion requirement *sua sponte* if not raised by the defendant.") Plaintiff's Complaint fails to allege that he exhausted his administrative remedies prior to filing this lawsuit against the Defendants. Defendant has also provided undisputed testimony that Plaintiff did not file any grievance regarding the

alleged lack of medical treatment while he was at the detention facility. Plaintiff's Complaint should therefore be dismissed.

#### E. Claims against Fictitious Defendants.

Plaintiff also appears to assert claims against fictitious parties as evidenced by the fact he has named as Defendants "D. T. Marshall, et al." (Complaint, p. 2) Some of the Plaintiff's allegations in the body of the Complaint also appear to be directed against fictitious defendants. Plaintiff's description of these Defendants is not sufficiently clear to allow service of the Complaint on any particular person. It appears that Plaintiff merely seeks to name fictitious defendants which is not allowed under the Federal Rules of Civil Procedure. *See, e.g., New v. Sports & Recreation, Inc.* 114 F.3d 1092, 1094 n. 1 (11th Cir. 1997); *Adams v. Franklin*, 111 F. Supp.2d 1255, 1259 n. 3 (M.D. Ala. 2000). All claims against fictitious defendants should therefore be dismissed.

Respectfully submitted this 28th day of November, 2007.

s/Constance C. Walker

Constance C. Walker (ASB-5510-L66C) Attorney for Defendant D. T. Marshall

#### **OF COUNSEL:**

HASKELL SLAUGHTER YOUNG & GALLION, LLC

Post Office Box 4660 Montgomery, Alabama 36103-4660 (334)265-8573 (334) 264-7945 Fax

#### **CERTICATE OF SERVICE**

I hereby certify that on the 28th day of November, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system that will send notification of such filing to the following counsel:

Bettie J. Carmack Assistant Attorney General Office of the Attorney General 11 South Union Street Montgomery, Alabama 36130

Wayne P. Turner The Law Office of Wayne P. Turner Post Office Box 152 Montgomery, Alabama 36101-0152

#### **CERTIFICATE OF SERVICE**

I hereby certify that I have served the foregoing document upon the following by causing a true and complete copy of same to be deposited in the United States Mail, sufficient first class postage prepaid, on this the 28th day of November, 2007, addressed as follows:

Michael Ronnie Boissonneau 3000 Lower Wetumpka Road Deatsville, Alabama 36022

> /s/Constance C. Walker Of Counsel